

Benjamin L. Ratliff, Esq. Bar No. 113708
Michael R. Linden, Esq. Bar No. 192485

THE LAW FIRM OF
WEAKLEY, RATLIFF,
ARENDT & MCGUIRE, LLP
1630 East Shaw Avenue, Suite 176
Fresno, California 93710

Telephone: (559) 221-5256
Facsimile: (559) 221-5262

Attorneys for Defendants, County of Kings, Mark Sherman,
Sandy R. Roper, William R. Zumwalt

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DANIEL RUFF,)	CASE NO: 1:05-CV-00631 OWW GSA
)	
Plaintiffs,)	
)	
vs.)	ORDER GRANTING PLAINTIFF'S EX
)	PARTE APPLICATION FOR
COUNTY OF KINGS; MARK SHERMAN;)	CONTINUANCE OF HEARING DATE FOR
SANDY R. ROPER; WILLIAM R.)	PENDING SUMMARY JUDGMENT
ZUMWALT ,DOES 1-100, et al.,)	MOTION AND FOR RELATED
)	NECESSARY RELIEF
Defendants.)	
)	
)	
)	
)	

The Ex Parte Application for Continuance of Hearing Date for Pending Summary Judgment Motion, and for Related Necessary Relief of plaintiff DANIEL RUFF (hereinafter "Plaintiff") came for a hearing before The Honorable Oliver W. Wanger on January 4, 2008, at 1:30 p.m. Plaintiff was represented by Kevin G. Little, Esq. Defendants COUNTY OF KINGS; MARK SHERMAN; SANDY R. ROPER; WILLIAM R. ZUMWALT (collectively hereinafter "Defendants") were represented by Michael R. Linden, Esq., of the Law Firm of Weakley, Ratliff, Arendt, & McGuire, LLP.

///

1 After full consideration of the moving and opposition papers, as well as oral argument from
2 counsel, and good cause appearing therefore, it is hereby ordered as follows:

3 Plaintiff's Application is GRANTED.

4 The following schedule shall govern the further handing of Defendants' pending Motion for
5 Summary Judgment by the parties:

6 Plaintiff will be allowed to take the depositions of witnesses needed to oppose defendants'
7 motion for summary judgment. Plaintiff's Opposition to said motion is to be filed on or before
8 April 4, 2008. No further extensions of time will be granted.

9 Defendants' Reply to Plaintiff's Opposition is to be filed on or before April 11, 2008.
10 Should Defendants need additional time to file their Reply, they are to seek relief from the Court
11 prior to the filing date.

12 The hearing for Defendants' Motion for Summary Judgment will take place on May 5, 2008,
13 at 10:00 a.m., in Courtroom 3.

14 The current pre-trial and trial dates, pursuant to the operative scheduling order, are hereby
15 vacated. A scheduling conference will take place on May 30, 2008, at 8:15 a.m., in Courtroom 3.

16 A telephone conference was held before The Honorable Oliver W. Wanger on February 4,
17 2008, at 3:00 p.m. regarding the specifics of the court's order rendered on January 4, 2008.
18 Plaintiff was represented by Kevin G. Little, Esq. All named defendants were represented by
19 Benjamin L. Ratliff and Michael R. Linden, Esq., of the Law Firm of Weakley, Ratliff, Arendt, &
20 McGuire, LLP.

21 After having considered the arguments of counsel, it is hereby ordered that the First
22 Amended Complaint (FAC) filed on January 31, 2008 (Court Doc. 57) is stricken. Plaintiff is
23 ordered to file a Motion For Leave To File a FAC on or before February 11, 2008. Defendants'
24 response is due on or before February 22, 2008. No reply shall be filed. The hearing on the motion
25 shall be held on March 3, 2008 at 10:00 a.m. in Courtroom 3.

26 ///

27 ///

28 ///

1 Approved as to form and content.

2
3 /s/ Kevin G. Little
4 By: _____
5 Kevin G. Little
6 Attorney for Plaintiff

7 IT IS SO ORDERED.

8 **Dated: February 24, 2008**

9 /s/ Oliver W. Wanger
10 _____
11 UNITED STATES DISTRICT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28